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5 Assistant United States Trustee

6 **UNITED STATES DEPARTMENT OF JUSTICE**

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12 Region 17, August B. Landis

13 **UNITED STATES BANKRUPTCY COURT**

14 **EASTERN DISTRICT OF CALIFORNIA**

15 In re:

16 Case No. 13-21180-C-11

17 DC No. UST-1

18 Kobra Properties, a  
19 California general partnership,

20 Date: August 28, 2013

21 Time: 10:00 a.m.

22 Dept.: C, Judge Christopher M. Klein

23 Courtroom: 35, 6th floor

24 Debtor,

25 /

26 **MOTION OF THE UNITED STATES TRUSTEE FOR  
27 ORDER DISMISSING CASE**

28 The Acting United States Trustee ("UST") hereby moves the court for an order  
29 dismissing this case. This motion is supported by the Memorandum of Points and Authorities  
30 and the Declaration of Laurie Brugger ("the Brugger Declaration"), filed herewith. The grounds  
31 for the motion are as follows:

32 **(1) Diminution of the estate and absence of a reasonable likelihood of rehabilitation.**

33 The Debtor lost its most valuable asset, the "Blue Oaks property," to foreclosure. The only

1 remaining asset, the "Cavitt Stallman Rd. property," appears to be of inconsequential value. The  
2 Debtor has no funds.

3 **(2) Delinquent operating report.** The Debtor failed to file a monthly operating report  
4 for June, 2013.

5 **(3) Delinquent quarterly fee.** The Debtor failed to pay the quarterly fee for the first  
6 quarter of 2013 in the amount of \$325.28 (including interest).

7 Executed at Sacramento, California on July 22, 2013.

8 Respectfully submitted,

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10   
11 /s/ Judith C. Hotze  
12 JUDITH C. HOTZE  
13 Attorney for the Acting  
United States Trustee

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